New Nouveau Brunswick CANADA

News Release

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New Brunswick Human Rights Commission

Resolution of human rights complaint will have broad impact (08/03/03)

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FREDERICTON (CNB) - All eight health authorities in New Brunswick have agreed to comply with a patient's right to name the person of their choice in a power of attorney for a personal care document. The resolution will affect many people in the province.

This agreement was negotiated by the New Brunswick Human Rights Commission to resolve a complaint filed by Peter Papoulidis, of Fredericton, who alleged that a regional heath authority and the province had refused to recognize his same-sex common law spouse as his next of kin.

"We are very pleased that we were able to make another step toward full equality for all New Brunswickers," said Dr. Gordon Porter, chair of the New Brunswick Human Rights Commission. "This resolution will benefit not only same-sex couples, but anyone who wants to designate a specific person to make personal care decisions on their behalf if they become incapacitated."

At the time the complaint was filed, Papoulidis had been denied the right to be designated to make decisions for his partner. As a result, the complainant would not have had the right to be involved in decisions about his partner's hospitalization if his partner had become incapacitated. Such decisions are normally made by a patient's next of kin.

The Human Rights Commission negotiated this agreement with each health authority in New Brunswick. The human rights complaint was closed by the commission at its Feb. 13 meeting.

"This case is an example of how the commission works to resolve human rights issues through mediation and conciliation," Porter said. "It will mean a great deal to many people in difficult situations. We want to commend both the complainant and the health authorities for co-operating with the commission to reach this resolution."

In the last few years, the commission has directed more effort into conciliation, especially during the early stages of the complaint process. In 2006-07, the commission was able to settle 96 cases through this mediation process. The financial value of the settlements totalled about $500,000. In addition, many individuals were able to be accommodated in the workplace and others were reinstated to their jobs.

"We want New Brunswick residents to know the work that is being done to protect their rights,"

Porter said. "This policy change by the health authorities is an example of the broad impact that the

conciliation of a human rights complaint can have."

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